

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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ANDREA FRANKIEWICZ and RUTH PEREZ,  
*individually and on behalf of a class of similarly  
situated individuals,*

Plaintiffs,

**ORDER**

-against-

**20-CV-5157 (JLR) (JW)**

MANHATTAN CRYOBANK, INC. and  
CNTP MCB INC.,

Defendants.

-----X  
**JENNIFER E. WILLIS, United States Magistrate Judge:**

The Court is in receipt of Plaintiffs' letter informing the Court of their intent to no longer pursue class identification and requesting a conference in anticipation of Plaintiffs' motion for Default Judgment on behalf of the named Plaintiffs. Dkt. No. 85. That request is **DENIED**. Plaintiffs may file a motion for Default Judgment **by February 5, 2025**. The motion must be supported by the following papers:

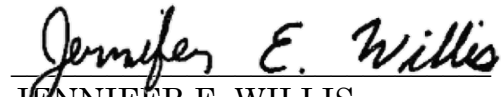
- i. An attorney's affidavit or declaration setting forth:
  - a. The basis for entering a default judgment, including a description of the method and date of service of the summons and complaint;
  - b. The procedural history beyond service of the summons and complaint, if any;
  - c. Whether, if the default is applicable to fewer than all of the defendants, the Court may appropriately order a default judgment on the issue of damages prior to resolution of the entire action;
  - d. The proposed damages and the basis for each element of damages, including interest, attorney's fees, and costs;
  - e. Evidence in support of the proposed damages, including contemporaneous records and other such documentation; and
  - f. Legal authority for why an inquest into damages is or is not unnecessary;

- ii. A proposed default judgment;
- iii. Copies of all the operative pleadings;
- iv. A copy of the affidavit of service of the summons and complaint; and
- v. If failure to answer is the basis for the default, a Certificate from the Clerk of Court stating that no answer has been filed.

The plaintiff must serve the motion for default judgment and supporting paperwork on the party against whom the default judgment is sought and file an affidavit of service on ECF **within 7 days** of filing the motion for default judgment. Any opposition papers shall be due **within 14 days of service** of the Default Judgment motion.

SO ORDERED.

DATED: New York, New York  
January 24, 2025

  
JENNIFER E. WILLIS  
United States Magistrate Judge